

3/29/19

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Chapter No. 444  
19/SS36/R842SG  
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## ***SENATE BILL NO. 2392***

Originated in Senate

Liz Welch

Secretary

SENATE BILL NO. 2392

AN ACT TO AMEND SECTION 27-103-159, MISSISSIPPI CODE OF 1972, TO MODIFY CERTAIN DEFINITIONS RELATING TO THE IDENTIFICATION AND INVENTORYING OF PROGRAMS USED IN THE BUDGETING PROCESS; TO EXPAND THE SCOPE OF AGENCIES THAT MAY BE REQUIRED TO PARTICIPATE IN THE PROCESS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

**SECTION 1.** Section 27-103-159, Mississippi Code of 1972, is amended as follows:

27-103-159. (1) For purposes of this section, the following terms shall have the following meanings \* \* \* as defined in this subsection:

(a) "Evidence-based program" \* \* \* means an intervention program \* \* \* that has had multiple site \* \* \* randomized controlled trials across heterogeneous populations demonstrating that the program \* \* \* is effective for the population and that does not have an equivalent or more probative body of rigorous evaluation demonstrating its ineffectiveness.

(b) "Intervention program" means a discrete and systematic set of activities designed to achieve one or more

specific outcomes not constituted or reliably achieved by the activities themselves.

( \* \* \*c) "Research-based program" \* \* \* means an intervention program \* \* \* that has had at least one (1) rigorous controlled evaluation demonstrating effectiveness and does not have an equivalent or more probative body of evaluations demonstrating its ineffectiveness.

( \* \* \*d) "Promising \* \* \* program" \* \* \* means \* \* \* an intervention program that has had at least one (1) rigorous controlled evaluation demonstrating effectiveness.

( \* \* \*e) "Other programs \* \* \*" \* \* \* means all programs \* \* \* that do not fit the definition of evidence-based, research-based or promising \* \* \* programs. This category may include nonintervention programs as well as intervention programs with rigorous evidence of ineffectiveness, mixed evidence of effectiveness, or an absence of evidence.

( \* \* \*f) "Program inventory" \* \* \* means the \* \* \* list of all agency programs \* \* \* that for purposes of accountability means a set of activities upon which state resources are expended.

\* \* \*

(g) "Rigorous controlled evaluation" means an evaluation for which the program received a ranking of at least three (3) on the Maryland Scientific Methods Scale, which level requires a control group.

(2) Beginning with the fiscal year 2016 budget cycle, the Legislative Budget Office shall require the Department of Corrections, the Department of Health, the Department of Education, and the Department of Transportation to comply with the requirements of this section respecting the inventorying of agency programs and activities for use in the budgeting process. The aforementioned agencies shall submit all program information to the Legislative Budget Office in accordance with any policies established by that office setting out requirements for any filings required under this section. Additional agencies shall be required to comply with the provisions of this subsection as provided in subsection (5) of this section.

(3) The Legislative Budget Office, the PEER Committee staff, and personnel of each of the agencies \* \* \* required to comply with this section shall review the programs of each agency and shall:

(a) Establish an initial inventory of agency programs \* \* \* as defined in subsection (1)(a) through (e) of this section;

(b) Categorize all agency programs \* \* \* as intervention or nonintervention and all intervention programs as evidence-based, research-based, promising \* \* \*, or other \* \* \*. Where possible, other intervention programs should be further classified according to the subcategories in subsection (1) of this section;

(c) Identify agency and program premises, goals, objectives, outcomes and outputs, as well as any other indicator or component the staffs consider to be appropriate, such as evidence of a program's adherence to best practices;

(d) Report estimated expenditures and full-time equivalent (FTE) positions for each agency program for each fiscal year;

(e) Recommend new and additional budget programs that capture the work of the agency identified through the inventory process and that are reasonable in number for making appropriations;

( \* \* \* f) Establish a procedure for base-lining programs which are built around promising practices or other programs that do not meet the definition of evidence-based or research-based programs, so that further research can be conducted to gauge the program's effectiveness;

( \* \* \* g) Describe \* \* \* the goals and theories used to develop any program \* \* \* that is neither evidence-based or research-based; \* \* \*

( \* \* \* h) \* \* \* Develop procedures for \* \* \* optimizing cost-effectiveness of agency programs; and

(i) Annually update each agency's inventory and related data as specified in paragraphs (b) through (e) of this subsection  
(3) .

\* \* \*

( \* \* \*4) Beginning with the fiscal year 2017 budget presentation, and each year thereafter, each state agency, general fund agency and special fund agency shall provide to the Joint Legislative Budget Committee a report of all sources of revenue, including the amounts from each source, collected by the agency in the most recent fiscal year. Such report shall include a list of each tax, fine or fee assessed by the agency, and it shall include the following for each:

- (a) The amount assessed;
- (b) The amount collected;
- (c) The code section, regulation, or other authoritative source that authorized their assessment and collection;
- (d) The method of determining assessments, including who is assessed, how the agency determines the amount of assessment, including rates;
- (e) The methods of collecting the amounts assessed;
- (f) The purposes for which the funds were expended by the agency;
- (g) The amount of funds transferred to the general fund, if applicable, and the authority by which the transfer took place;
- (h) The amount of funds transferred to another entity, if applicable, and the authority by which the transfer took place,

as well as the name of the entity to which the funds were transferred;

(i) The fiscal year-end balance of every fund that receives revenue generated by fines and fees; and

(j) Any Maintenance of Effort agreements entered into with any federal agency or subdivision thereof.

For sums received from state sources, the agency shall list each source, including each special fund, along with the amounts received from each fund. For sums received from federal government sources, the agency shall list each source at its most specific level, such as an office or division, not simply the federal department from which it came. The report shall also include a detailed description of the actions or results that were promised by the agency in order to receive these funds.

These reports shall be posted on the Legislative Budget Committee's website.

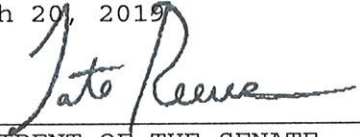
\* \* \*

(5) Upon recommendations of the PEER Committee staff, the Legislative Budget Office may for the fiscal year 2021 budget cycle and all later budget cycles, annually designate additional agencies that shall be required to comply with the provisions of subsections (1), (2) and (3) of this section. Material collected in association with the provisions of subsections (1), (2) and (3) of this section may be incorporated into agency appropriations


bills to the extent deemed practicable by the Legislative Budget  
Committee.

SECTION 2. This act shall take effect and be in force from  
and after July 1, 2019.

PASSED BY THE SENATE  
March 20, 2019

  
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PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 6, 2019

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
\_\_\_\_\_  
GOVERNOR

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